

JS-6

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

PHOENIX SOLUTIONS, INC., a
Maryland corporation,

Plaintiff and Counterclaim-
Defendant,

v.

WEST INTERACTIVE CORP., a
Delaware corporation,

Defendant and Counterclaim-
Plaintiff.

Case No. 2:09-cv-08156-MRP (SSx)

JUDGMENT

This action came on for hearing before the Court, on July 15, 2010, Hon. Mariana R. Pfaelzer, District Judge Presiding, on Motions for Summary Judgment, and the evidence presented having been fully considered, the issues having been duly heard and a decision having been duly rendered, IT IS ORDERED AND ADJUDGED that for the reasons stated in the Court's Order on the Motions for Summary Judgment (*see* Docket No. 131) that:

- Phoenix Solutions, Inc.'s First Count for Infringement of U.S. Patent No. 6,665,640 is DENIED;
- Phoenix Solutions, Inc.'s Second Count for Infringement of U.S. Patent No. 6,633,846 is DENIED;
- Phoenix Solutions, Inc.'s Third Count for Infringement of U.S. Patent No. 7,277,854 is DENIED;
- Phoenix Solutions, Inc.'s Fourth Count for Infringement of U.S. Patent No. 7,555,431 is DENIED;

- West Interactive Corp.'s Second Count for Declaratory Relief Regarding Invalidity of U.S. Patent No. 6,665,640 is GRANTED;
- West Interactive Corp.'s First Count for Declaratory Relief Regarding Non-infringement of U.S. Patent No. 6,665,640 is DISMISSED as moot;
- West Interactive Corp.'s Third Count for Declaratory Relief Regarding Non-infringement of U.S. Patent No. 6,633,846 is GRANTED;
- West Interactive Corp.'s Fourth Count for Declaratory Relief Regarding Invalidity of U.S. Patent No. 6,633,846 is DISMISSED as moot;
- West Interactive Corp.'s Sixth Count for Declaratory Relief Regarding Invalidity of U.S. Patent No. 7,277,854 is GRANTED;
- West Interactive Corp.'s Fifth Count for Declaratory Relief Regarding Non-infringement of U.S. Patent No. 7,277,854 is DISMISSED as moot;
- West Interactive Corp.'s Eighth Count for Declaratory Relief Regarding Invalidity of U.S. Patent No. 7,555,431 is GRANTED; and
- West Interactive Corp.'s Seventh Count for Declaratory Relief Regarding Non-infringement of U.S. Patent No. 7,555,431 is DISMISSED as moot.

DATED: September 16, 2010 _____



HON. MARIANA R. PFAELZER
UNITED STATES DISTRICT JUDGE